

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – M.A. & U.D. Department – Srikakulam Municipality - Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam - Allegations on failure to discharge the duties properly in initiating action against the unauthorized and irregular construction of Apartments in Srikakulam Municipality – Departmental Proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Orders - Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.1) DEPARTMENT

G.O.RT.No. 149

Dated: 14-02-2018

Read:-

G.O.Rt.No.148 M.A. & U.D. (Vig.I) Department, dt:14.02.2018.

ORDER:

It is proposed to hold an enquiry against Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam in accordance with the procedure laid down in Rule 20 of the A.P.Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set-out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witness by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure- III and IV).

3. Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam is directed to submit a written statement of defense within (10) days of the receipt of this order.

4. Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. She should, therefore, specifically admit or deny each article of charge.

5. Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam is further informed that if she does not submit written statement of defense on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against her ex -parte.

6. Attention of Smt.Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam is invited to Rule 24 of the A.P.Civil Services (Conduct) Rules, 1964, under which no

(PTO)

Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further her interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt with these proceedings, it will be presumed that Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam is aware of such a representation and that it has been made at her instance and action will be taken against her for violation of Rule 24 of the A.P.Civil Services (Conduct) Rules, 1964.

7. The Director of Town & Country Planning, A.P., Guntur is directed to furnish the copies of documents as per Annexure-III to Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam.

8. The receipt of the G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Smt. Y. Srilakshmi, the then TPBO, Srikakulam Municipality and now working as TPS, GVMC, Visakhapatnam

**through the Director of Town & Country Planning, A.P.,
Guntur.**

The Director of Town & Country Planning, AP, Guntur.

Copy to:

The General Administration (V&E) Department.

The Secretary to APVC, 5th Block, A.P. Secretariat, Velagapudi.

The Commissioner, Srikakulam Municipality, Srikakulam District.

The Principal Accountant General (A&E), A.P., Hyderabad.

SF/SCs.

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure-I to G.O.Rt.No.149 , M.A. & U.D. (Vig.I)

Department, dated:14.02.2018.

**Statement showing the Articles of Charge framed against
Smt.Y.Srilakshmi, the then TPBO, Srikakulam Municipality**

Article of Charge - I:

That the said Smt.Y.Srilakshmi, while functioning as Town Planning and Building Overseer at Srikakulam Municipality has allowed unauthorized construction of 3rd and 4th floors, setback deviations and also height of the building over and above the permissible Stilt + Ground floor + 2 upper floors with 18 meters height of the building of Sri Runkana Ravi, 1 Way traffic road, Srikakulam and thereby held responsible for the same.

Basis of the Charge:

During the course of inspection made by Vigilance and Enforcement authorities, they have observed the following. The Building owner has constructed Stilt + GF + 4 Upper floors as against Stilt + Ground + 2 Upper floors vide approved plan No.269/2014, dated: 29.09.2014. The observed physical measurements of the building are tabulated below.

Floor	Approved floor area in Sq.mts.	Constructed floor area in Sq.Mts.	Excess floor area constructed in Sq.mts.	Remarks
Ground floor	137.04	194.00	56.96	There were unauthorized construction of 3 rd & 4 th floors and deviations of constructed area.
1 st floor	137.04	194.00	56.96	
2 nd floor	137.04	194.00	56.96	
3 rd floor	0	194.00	194.00	
4 th floor	0	194.00	194.00	
Total	411.12	970.00	558.88	

Further, the height of the building of Stilt + Ground floor + 4 upper floors is found to be more than the permissible height of 18 meters.

Thus, the Charged Officer is held responsible for the same.

Article of Charge-II:

That during the aforesaid period and while functioning in the aforesaid office in the aforesaid post, the said Smt. Y.Srilakshmi, TPBO, Srikakulam Municipality had colluded with the applicants in the unlawful activity and thereby held responsible for the same.

Basis of the Charge:

With regard to the above construction, as per the inspection of V& E authorities the building of Sri Runkana Ravi is found to be constructed with setback deviations and 2 unauthorized floors. The building was still in progress at the time of inspection and thus the Owner of the building is not entitled for claiming the facility under BPS 2015 and liable for actions under Law. Moreover the building permission as accorded on 29-09-2014 for construction of building with Stilt G + 2 upper floors only. But the building owner has constructed Stilt + GE + 4 upper floors. There was only a period of 3 months (i.e., 92 days 29-09-2014 to 31-12-2014) in between the plan approval and BPS ceiling period, which is highly impossible for construction of Stilt + GE + 4 Upper floors.

The Charged Officer, while working as TPBO of Srikakulam Municipality has not properly discharged her duties and deliberately colluded with owner of the Building in hiding the facts in order to regularize the building under BPS Scheme without proceeding for legal actions and issuing notices as per law.

With the above, it is clear that the charged officer colluded with parties and thus responsible for the same.

Article of Charge-III:

That during the aforesaid period and while functioning in the aforesaid office in the aforesaid post, the said Smt. Y.Srilakshmi, TPBO, Srikakulam Municipality had failed to take action against the deviations /unauthorized construction of 2 additional floors made by the building owner and thereby held responsible for the same.

Basis of the Charge:

As per the findings of Vigilance and Enforcement authorities, on receipt of BPS application of Sri Runkana Ravi, 1 Way Traffic road, Srikakulam vide application No.BPS/SRI/5/8601915, Dated:14.07.2015, the Charged Officer failed to initiate appropriate action against the said Building Owner under provisions and procedures in vogue and also Act & Rules. But, no action initiated by the Charged Officer against the building owner. Thus, the Charge is inevitable.

Article of Charge-IV:

That during the aforesaid period and while functioning in the aforesaid office in the aforesaid post, the said Smt.Y.Srilakshmi, TPBO, Srikakulam Municipality had failed to discharge her legitimate duties properly and sincerely and thereby held responsible for the same.

Basis of the Charge:

As evident from the above charges, the charged Officer did not care to perform her official duties properly. Hence, she failed to discharge her legitimate duties with due care and diligence and responsible for the said lapse.

**R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT**

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure-II to G.O.Rt.No.149 , M.A. & U.D. (Vig.I) Department,
dated: 14.02.2018.

Statement Of Imputations Of Misbehavior / Misconduct Against
Smt.Y.Srilakshmi, the then TPBO, Srikakulam Municipality

During the course of enquiry of V & E Officials, they have observed that Sri Runkana Ravi, 1 Way Traffic Road, Puja Marbles, Srikakulam has obtained building permission No.269/2014/G1, Dated.29.09.2014 from the Municipal Commissioner, Srikakulam Municipality for construction of Stilt + Ground floor + 2 upper floors. But on verification by V & E authorities, the building owner has constructed Stilt + Ground floor + 4 upper floors with setback deviations and violating the sanctioned building plan and crossed the permissible height of 18 mts.

Further, the building owner has applied for BPS fraudulently, though the building is not yet completed in full shape as on the date of V & E inspection i.e., 21-12-2015. Hence, the said building is not eligible for BPS, as per Government orders.

Thus, the Charged Officer has failed to take action against the deviations made by the building owner, besides not rejected the BPS application, thus colluded with the applicant in submitting fraudulent application.

Thus, the Charged Officer is held responsible for the same.

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure-III to G.O.Rt.No.149 , M.A. & U.D. (Vig.I) Department,
dated: 14.02.2018.

List of Documents by which the Articles of Charges framed against
Smt. Y.Srilakshmi, the then TPBO, Srikakulam Municipality are
proposed to be sustained

1. General administration (Vigilance & Enforcement) Dept. Vigilance
Report No. 90 (C.No. 1106/V&E/D1/2016) Dt: 19.09.2017.
2. Govt.Memo.No. 863317/Vig.I.1/2017,dt. 02.01.2018

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

Annexure-IV to G.O.Rt.No.149 , M.A. & U.D. (Vig.I) Department,
dated:14.02.2018.

List of witnesses by whom the articles of charge framed
against Smt.Y.Srilakshmi, the then TPBO, Srikakulam Municipality
are proposed to be sustained:

--NIL--

R.KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER